

Town Board Meeting Agenda
June 2, 2014
Meeting No. 16

THIS MEETING IS BEING RECORDED



1. ***Roll Call:***
2. ***Pledge of Allegiance:***
3. ***Invocation – Ronald Ruffino, Sr., Council Member***
4. ***Persons Addressing the Town Board (on prefiled or suspended resolutions only):***

The Town Board will hear the concerns of persons desiring to address the Town Board on any **prefiled or proposed suspended resolutions** for a period of thirty (30) minutes.

Procedure

1. Raise his/her hand and be recognized by the Supervisor.
2. Give his/her name and address to the Town Clerk.
3. Speak directly to the Town Board members, not the audience, using the microphone provided.
4. Speak **once for five (5) minutes or less**, unless the Town Board grants a speaker an extension of this time limit.

5. ***Public Hearings at 7:15 P.M.: #1 Amendment to V & T Ordinance: Parking, Standing and Stopping
#2 Yard Sales***

6. ***Official Reports:***

7. ***Report of Town Board Committees:***

8. ***Presentations of prefiled resolutions by Town Board Members:***

1. Fudoli/ _____ Approve Minutes Of The Joint Meeting of the Town Board and the Planning Board held May 19, 2014 and the Regular Meeting of the Town Board held May 19, 2014
2. Fudoli/ _____ Approve Audited Claims
3. Stempniak/ _____ Acknowledge Issuance Of Building Permits
4. Fudoli/ _____ Confirm Membership Roster Twin District VFC [Twin District VFC]
5. Stempniak/ _____ Approve Site Plan Stony Brook @ Walden [Stony Brook @ Walden]
6. Stempniak/ _____ Adopt SEQR Negative Declaration Re: Niagara Lutheran Health Systems' Corporate Office Building [Niagara Lutheran Health Systems]
7. Stempniak/ _____ Adopt SEQR Negative Declaration Re: Apple Rubber Products, Inc. Warehouse Addition [Apple Rubber Products, Inc.]
8. Stempniak/ _____ Approve Site Plan Niagara Lutheran Health Systems' Corporate Office Building [Niagara Lutheran Health Systems]

- 9. Stempniak/ _____ Approve Site Plan Apple Rubber Products, Inc. Warehouse Addition
[Apple Rubber Products, Inc.]
- 10. Fudoli/ _____ Appoint Parks & Recreation Part-Time Temporary Seasonal
Employees [Seasonal Employees]
- 11. Fudoli/ _____ Appoint Part-Time Temporary Seasonal Youth Bureau Employees
[Seasonal Employees]
- 12. Ruffino/ _____ Authorize Proposer Certification Re: Year-Round Youth
Development Programs [Erie County]
- 13. Fudoli/ _____ Appoint Parks & Recreation Part-Time Temporary Seasonal
Employees [Seasonal Employees]
- 14. Fudoli/ _____ Appoint Parks & Recreation Part-Time Temporary Seasonal
Employees [Seasonal Employees]
- 15. Fudoli/ _____ Appoint Dominic Mendola Laborer Part-Time Temporary Seasonal
[Mendola, Dominic]

9. *Presentation of Communications By Town Clerk:*
(See Schedule Attached)

10. *Persons Addressing the Town Board (on any subject):*

The Town Board will hear the concerns of persons desiring to address the Town Board on any Town of Lancaster subject for a period of thirty (30) minutes.

Procedure

- 1. Raise his/her hand and be recognized by the Supervisor.
- 2. Give his/her name and address to the Town Clerk.
- 3. Speak directly to the Town Board members, not the audience, using the microphone provided.
- 4. Speak **once for five (5) minutes or less**, unless the Town Board grants a speaker an extension of this time limit.

11. *Adjournment:*

COMMUNICATIONS & REPORTS

- 325. Scott Seger, Broadway Hope Youth Camp Ministry to Town Board –
Request for millings for maintenance road on Broadway in Lancaster.
Disposition =**
- 326. Joseph Keefe, Esq. to Town Clerk –
Record of work activities for NYS Retirement System. Disposition =**
- 327. Thomas Dearing, Erie County Dept. of Environment & Planning to Supervisor –
Public Review of the Draft Fourth Substantial Amendment to the 2012 Action Plan
Components of the 2010-2014 Five-Year Consolidated Plan. Disposition =**
- 328. Twin District Volunteer Fire Co. to Town Clerk –
Change in roster. Disposition =**
- 329. Supervisor to Captain Marco Laurienzo and Highway Superintendent –
Copy of letter from Conrad Cieslinski requesting a review of current parking
regulations on Michael Anthony Lane. Disposition =**
- 330. Michelle Fritz to Town Board –
Request for Niagara Frontier Working Dog Club to hold the New England Regional
Dog Competition at Westwood Park on September 10-14, 2014. Disposition =**
- 331. Lee Chowanec to Town Board –
Comments regarding ordinance on re-roofing permits. Disposition =**
- 332. Town Attorney to Supervisor –
Response to Supervisor regarding Cable Franchise Transfer from Time Warner to
Comcast. Disposition =**
- 333. Highway Superintendent to Town Board –
Request for resolution appointing Dominic Mendola for the 2014 summer season in the
Town Highway Department. Disposition =**
- 334. General Crew Chief to Supervisor and Town Board –
Request for appointment of two individuals to the position of part-time temporary
seasonal employee for the summer of 2014 in the Parks, Recreation & Forestry
Department. Disposition =**
- 335. Executive Director Youth Bureau to Supervisor and Town Board –
Request for appointment of individuals for various positions in the Youth Bureau's
Special Exam Prep Session, Summer Skills Building Program, Safe Summer
Reinforcement & Enrichment Programs, and Summer Performing Arts Academy
from June 2, 2014 through August 31, 2014. Disposition =**
- 336. General Crew Chief to Supervisor and Town Board –
Request for appointment of individuals to the position of part-time temporary
seasonal employee for the summer of 2014 in the Parks, Recreation & Forestry
Department. Disposition =**
- 337. General Crew Chief to Supervisor and Town Board --
Request for appointment of two individuals to the position of part-time temporary
seasonal employee for the summer of 2014 in the Parks, Recreation & Forestry
Department. Disposition =**
- 338. Police Chief to Town Clerk –
Articles and communications. Disposition =**

PRESENTATION OF PREFILED RESOLUTIONS:

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER TO WIT:

RESOLVED, that the minutes of the Joint Meeting of the Town Board and the Planning Board held May 19, 2014 and the Regular Meeting of the Town Board held May 19, 2014 be and are hereby approved.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

| | |
|--------------------------|-------|
| COUNCIL MEMBER ABRAHAM | VOTED |
| COUNCIL MEMBER AQUINO | VOTED |
| COUNCIL MEMBER RUFFINO | VOTED |
| COUNCIL MEMBER STEMPNIAK | VOTED |
| SUPERVISOR FUDOLI | VOTED |

June 2, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER , TO WIT:

RESOLVED, that the following Audited Claims be and are hereby ordered paid
from their respective accounts as per abstract to be filed in the Office of the Town Clerk by the
Assistant to the Supervisor, to wit:

Claim No. 35662 to Claim No. 35796 Inclusive

Total amount hereby authorized to be paid: \$799,870.81

The question of the foregoing resolution was duly put to a vote on roll call
which resulted as follows:

| | |
|--------------------------|-------|
| COUNCIL MEMBER ABRAHAM | VOTED |
| COUNCIL MEMBER AQUINO | VOTED |
| COUNCIL MEMBER RUFFINO | VOTED |
| COUNCIL MEMBER STEMPNIAK | VOTED |
| SUPERVISOR FUDOLI | VOTED |

June 2, 2014

File: Rclaims

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPNIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER TO WIT:

RESOLVED that the following Building Permit applications be and are hereby reaffirmed:

CODES:
(SW) = Sidewalks as required by Chapter 12-1B. of the Code of the Town of Lancaster are waived for this permit.
(CSW) = Conditional sidewalk waiver
(V/L) = Village of Lancaster

NEW PERMITS:

| Pmt # | SW | Applicant Name | Address | STRUCTURE | Village |
|-------|----|------------------------------|------------------------|---------------------|---------|
| 22682 | | Matthew Shea | 71 Michael Anthony Ln | Er. Pool-Abv Grnd | |
| 22689 | | Jason R. Lasker | 5560 William St | Er. Dwlg.-Sin. | |
| 22690 | | Ray Book | 43 Wren Ave | Re-Roof | (V/L) |
| 22691 | | Windsor Ridge Partners LLC | 4 Worthington Ln | Er. Dwlg.-Sin. | |
| 22692 | | Anthony Genovese | 107 Michael's Walk | Re-Roof | |
| 22693 | | Jerome & Debra Burke Jr | 3 Farmingdale Ct | Re-Roof | |
| 22694 | | Ron Conestro | 60 Hess Pl | Er. Pool-Abv Grnd | |
| 22695 | | Sahlems Roofing and Siding | 263 Enchanted Forest N | Re-Roof | |
| 22696 | | Donald J. Eichenseer | 90 Country Pl | Er. Fence | |
| 22697 | | Tramontana Contracting Corp | 93 Robert Dr | Re-Roof | (V/L) |
| 22698 | | David Adkins | 523 Pleasant View Dr | Er. Fence | |
| 22699 | | City Fence Inc. | 7 Park Walk | Er. Fence | |
| 22700 | | Joseph & Blanka Heary | 3 Quail Run Ln | Er. Pool-Abv Grnd | |
| 22701 | | Sun Enterprises Inc. | 5 Ellie Ct | Er. Shed | |
| 22702 | | Black Roof Roofing | 179 Nathan's Trl | Re-Roof | |
| 22703 | | Steven Buscaglia | 24 Kent Pl | Er. Deck | |
| 22704 | | Randy & Ann Stanek | 1067 Ransom Rd | Re-Roof | |
| 22705 | | Sebastiano Construction | 44 Sterling Pl | Er. Res. Alt. | |
| 22706 | | Bryan J LeFauve | 20 Schilling Ct | Er. Deck | |
| 22707 | | Town of Lancaster IDA | 4437 Walden Ave | Er. Comm. Add./Alt. | |
| 22708 | | Bowen Road Acquisition LLC | 1 Dover Ct | Er. Dwlg.-Sin. | |
| 22709 | | Michael W Dariak | 13 Kent Pl | Er. Deck | |
| 22710 | | Michael Mordino | 37 Bentley Cir | Re-Roof | |
| 22711 | | Francis Christopher | 14 Ellicott Pl | Er. Fence | (V/L) |
| 22712 | | Majestic Pools Inc. | 14 Sussex Ln | Er. Pool-In Grnd | |
| 22713 | | Majestic Pools Inc. | 14 Sussex Ln | Er. Fence | |
| 22714 | | Brian & Constance Wadsworth | 11 Sherwood Rd | Re-Roof | (V/L) |
| 22715 | | Thomas Bertucci | 7 Robinwood Ct | Re-Roof | |
| 22716 | | Lois Pacanowski | 467 Central Ave | Re-Roof | |
| 22717 | | Renee Sobaszek | 318 Enchanted Forest N | Re-Roof | |
| 22718 | | Michael P Nugent | 32 St Anthony St | Er. Fence | |
| 22719 | | Andre & Melissa Lamm | 46 Pheasant Run Ln | Re-Roof | |
| 22720 | | Anthony & Andrea Pusateri | 33 Jonquille Ct | Er. Res. Alt. | |
| 22721 | | Christopher M Pajda | 124 Pheasant Run Ln | Er. Shed | |
| 22722 | | Travis & Julie Wilhite | 402 Seneca Pl | Er. Deck | |
| 22723 | | Adam Maciejewski | 10 Main St | Re-Roof | |
| 22724 | | Tammy Shafer | 39 Brandel Ave | Er. Res. Alt. | (V/L) |
| 22725 | | Parco Building Systems, Inc. | 554 Hall Rd | Er. Garage | |
| 22726 | | Family Video Movie Club Inc | 5207 Broadway | Er. Sign – Wall | (V/L) |
| 22727 | | Steven Buscaglia | 15 Kent Pl | Er. Deck | |
| 22728 | | Russell & Bobie Frey | 222N Maple Dr | Er. Fence | |
| 22729 | | All Star Fence | 52 Church St | Er. Fence | (V/L) |
| 22730 | | Robert & Judy Trusiak | 24 Liberty Pl | Er. Pool-In Grnd | (V/L) |
| 22731 | | Timothy & Michelle Bly | 1440 Townline Rd | Er. Fence | |
| 22732 | | Timothy & Michelle Bly | 1440 Townline Rd | Er. Pool-In Grnd | |
| 22733 | | William Zinno | 2 Carlisle St | Er. Deck | |
| 22734 | | David & Leigh George | 5 Stone Hedge Dr | Re-Roof | |
| 22735 | | Julian Kossowsky | 327 Broezel Ave | Re-Roof | |
| 22736 | | Joseph Brainard | 15 Regency Ct | Er. Fence | |
| 22737 | | Joseph Brainard | 15 Regency Ct | Er. Pool-In Grnd | |
| 22738 | | Rod Hamilton | 90 Newberry Ln | Er. Deck | |
| 22739 | | Ruth A Nosbisch | 9 Grace Way | Re-Roof | |
| 22740 | | Patrick M Hayes | 668 Pleasant View Dr | Er. Pool-Abv Grnd | |
| 22741 | | The Pool Guy | 61 Tomahawk Trl | Er. Pool-Abv Grnd | |

| | | | | |
|-------|-------------------------------|------------------------|-------------------|-------|
| 22742 | H Cope Enterprises Inc. | 5 Michael's Walk | Re-Roof | |
| 22743 | Gerald Lewis DBA | 200 Schwartz Rd | Re-Roof | |
| 22744 | F & D Construction Inc. | 25 Sixth Ave | Re-Roof | (V/L) |
| 22745 | Charles & Connie Bellinger | 51 Fox Hunt Rd | Er. Shed | |
| 22746 | Raymond & Mary Suttell | 5118 William St | Er. Pool-Abv Grnd | |
| 22747 | Theresa McDonough | 5 Wildwood Dr | Er. Fence | (V/L) |
| 22748 | Jeremy & Ashley Blecha | 5 Tranquility Trl | Er. Fence | |
| 22749 | Thomas Cutrona Sr. | 316 Enchanted Forest N | Re-Roof | |
| 22750 | Tramontana Contracting Corp | 12 Windcroft Ln | Re-Roof | |
| 22751 | CMK Builders | 46 Nichter Rd | Er. Dwlg.-Sin. | |
| 22752 | Swimco Manufacturing Inc. | 57 Chestnut Corner | Er. Pool-In Grnd | |
| 22753 | Swimco Manufacturing Inc. | 57 Chestnut Corner | Er. Fence | |
| 22754 | Keith Bednarz | 10 Farmview Ct | Re-Roof | |
| 22755 | Jeff Pamsey | 2075 Como Park Blvd | Re-Roof | (V/L) |
| 22756 | Iroquois Fence, Inc. | 1 Joseph Dr | Er. Fence | |
| 22757 | Dennis A Fiorella | 258 Aurora St | Er. Res. Alt. | (V/L) |
| 22758 | Edward Wojtal | 540 Ransom Rd | Re-Roof | |
| 22759 | The Kaz Company | 2 Katelyn Ln | Re-Roof | |
| 22760 | Steven & Karen Frackowiak | 165 Stony Rd | Er. Fence | |
| 22761 | Scott Markowski | 75 Newberry Ln | Re-Roof | |
| 22762 | Chad Ferge | 58 Aurora St | Re-Roof | (V/L) |
| 22763 | Matthew & Antonio Contracting | 11 Traceway | Re-Roof | |
| 22764 | Tramontana Contracting Corp. | 129 Siebert Rd | Re-Roof | |
| 22765 | Dennis Jowsey | 16 Clark St | Re-Roof | (V/L) |
| 22770 | James Szafranski | 570 Harris Hill Rd | Er. Res. Add. | |

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance requirement for sidewalks, and

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (CSW) for conditional sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance required for sidewalks, however, the waiver is granted upon the expressed condition that the Town of Lancaster, at any future date, reserves the right to order sidewalk installation at the expense of the property owner.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

| | |
|--------------------------|-------|
| COUNCIL MEMBER ABRAHAM | VOTED |
| COUNCIL MEMBER AQUINO | VOTED |
| COUNCIL MEMBER RUFFINO | VOTED |
| COUNCIL MEMBER STEMPNIAK | VOTED |
| SUPERVISOR FUDOLI | VOTED |

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER, TO WIT:

WHEREAS, the Twin District Volunteer Fire Company, Inc., by letter dated May 17, 2014, has requested the deletion of one member from the active roster of said fire association,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby deletes from the membership of the Twin District Volunteer Fire Company, the following individual:

DELETION:

Fredrick Kintzel

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

| | |
|-------------------------|-------|
| COUNCIL MEMBER ABRAHAM | VOTED |
| COUNCIL MEMBER AQUINO | VOTED |
| COUNCIL MEMBER RUFFINO | VOTED |
| COUNCIL MEMBER STEMPIAK | VOTED |
| SUPERVISOR FUDOLI | VOTED |

June 2, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPNIAK WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER, TO WIT:

WHEREAS, Douglas Klotzbach, of Stony Brook South Corp., has submitted a site plan prepared by K2 Architecture, dated February 24, 2014, and received March 10, 2014 for the proposed construction of a mixed use commercial/residential 2 story residential apartment (5 units) and commercial storefront to be known as Stony Brook @ Walden located at 3950 Walden Avenue, in the Town of Lancaster, and

WHEREAS, the site plan for this project was submitted to the Planning Board and was approved at their March 19, 2014 meeting, and

WHEREAS, the Town, acting as lead agency has completed an environmental review on April 21, 2014, in conformance with SEQR (State Environmental Quality Review) regulations and on May 5, 2014 a Negative Declaration was issued.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby approves the site plan submitted by Douglas Klotzbach, of Stony Brook South Corp., and prepared by K2 Architecture, dated February 24, 2014, and received March 10, 2014 for the proposed construction of a mixed use commercial/residential 2 story residential apartment (5 units) and commercial storefront to be known as Stony Brook @ Walden located at 3950 Walden Avenue with the following condition:

- Subject to approval of landscaping plan by General Crew Chief Terrence McCracken.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows :

| | |
|--------------------------|-------|
| COUNCIL MEMBER ABRAHAM | VOTED |
| COUNCIL MEMBER AQUINO | VOTED |
| COUNCIL MEMBER RUFFINO | VOTED |
| COUNCIL MEMBER STEMPNIAK | VOTED |
| SUPERVISOR FUDOLI | VOTED |

June 2, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER, TO WIT:

WHEREAS, the Town Board is considering the construction of **Niagara Lutheran Health Systems’ Corporate Office Building**, to be located at 5959 Broadway in the Town of Lancaster, and

WHEREAS, the Town of Lancaster Municipal Review Committee has reviewed the environmental impact of this construction project pursuant to SEQR regulations at their meeting on May 19, 2014 and recommended that a Negative Declaration be issued, and

WHEREAS, the Town Board has duly considered the plans for the building, the short Environmental Assessment Form, the criteria for determining significance set forth in 6 N.Y.C.R.R. § 617.7(c) of the State Environmental Quality Review Act (“SEQRA”) regulations, and such other information deemed appropriate, including the recommendation of the Municipal Review Committee; and

WHEREAS, the Town Board has identified the relevant areas of environmental concern, has taken a hard look at these areas, and has made a reasoned elaboration of the basis for its determination; and

WHEREAS, the proposed action has been labeled an “Unlisted” action under SEQRA.

NOW, THEREFORE,
BE IT RESOLVED by the Town Board of the Town of Lancaster that:

- 1. This project, described as an amended site to proposed corporate office building and future building, will not result in any large and important impacts and, therefore, it is an action which will not have a significant adverse impact on the environment, and therefore the Board issues the attached negative declaration of environmental significance for the reasons stated therein.
- 2. The Town Clerk shall file a copy of the Negative Declaration in the file for the Project.
- 3. The Town Attorney's Office shall prepare and file a Notice of Determination of Non-Significance with the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal.
- 4. This resolution is effective immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

| | |
|-------------------------|-------|
| COUNCIL MEMBER ABRAHAM | VOTED |
| COUNCIL MEMBER AQUINO | VOTED |
| COUNCIL MEMBER RUFFINO | VOTED |
| COUNCIL MEMBER STEMPIAK | VOTED |
| SUPERVISOR FUDOLI | VOTED |

NEGATIVE DECLARATION
Determination of Non-Significance

Town of Lancaster Town Board

Dated: June 2, 2014

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Town of Lancaster Town Board (the “Town Board”), has reviewed the proposed construction of a two story residential apartment (5 units) and commercial storefront on a vacant one acre parcel which includes paved surface parking, utilities and landscape improvements. The Town Board has determined the Project will not have a significant adverse environmental impact and that a Draft Environmental Impact Statement will not be prepared.

Name of Action: Niagara Lutheran Health Systems Corporate Office Building

Location of Action: 5959 Broadway, Lancaster, New York 14086, Erie County.

SEQR Status: Unlisted Action.

Description of Action: An amended site to proposed corporate office building and future building.

Reasons Supporting this Determination: Potential environmental impacts associated with the Project were identified in the Environmental Assessment Form. The Town analyzed the project under the criteria for determining significance identified in 6 NYCRR § 617.7(c)(1) and in accordance with 6 NYCRR § 617.7(c)(2) and (3). As indicated below based on each criterion specified in 6 NYCRR § 617.7(c)(1), the Project will not have a significant adverse impact on the environment.

1. The proposed action will not create a material conflict with an adopted land use plan or zoning regulations.
2. The proposed action will not result in a change in the use or intensity of use of land.
3. The proposed action will not impair the character or quality of the existing community.
4. The Town of Lancaster has not established a Critical Environmental Area (CEA).
5. The proposed action will not result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway.
6. The proposed action will not cause an increase in the use of energy or fail to incorporate reasonably available energy conservation or renewable energy opportunities.

7. The proposed action will not impact existing public/private water supplies or public/private wastewater treatment utilities.
8. The proposed action will not impair the character or quality of important historic, archaeological, architectural or aesthetic resources.
9. The proposed action will not result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora or fauna).
10. The proposed action will not result in an increase in the potential for erosion, flooding or drainage problems.
11. The proposed action will not create a hazard to environmental resources or human health.

For Further Information:

| | |
|-------------------|--------------------------------|
| Contact Person: | John M. Dudziak, Town Attorney |
| | Town of Lancaster |
| Address: | 21 Central Avenue |
| | Lancaster, New York 14086 |
| Telephone Number: | (716) 684-3342 |

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPNIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER, TO WIT:

WHEREAS, the Town Board is considering the construction of a single story 4,400 square foot masonry bearing steel roof warehouse addition to **Apple Rubber Products, Inc.**, located at 204 Cemetery Road in the Town of Lancaster, and

WHEREAS, the Town of Lancaster Municipal Review Committee has reviewed the environmental impact of this construction project pursuant to SEQR regulations at their meeting on May 19, 2014 and recommended that a Negative Declaration be issued, and

WHEREAS, the Town Board has duly considered the plans for the building, the short Environmental Assessment Form, the criteria for determining significance set forth in 6 N.Y.C.R.R. § 617.7(c) of the State Environmental Quality Review Act (“SEQRA”) regulations, and such other information deemed appropriate, including the recommendation of the Municipal Review Committee; and

WHEREAS, the Town Board has identified the relevant areas of environmental concern, has taken a hard look at these areas, and has made a reasoned elaboration of the basis for its determination; and

WHEREAS, the proposed action has been labeled an “Unlisted” action under SEQRA.

NOW, THEREFORE,
BE IT RESOLVED by the Town Board of the Town of Lancaster that:

1. This project, described as the demolition and removal of the existing 1,700 square foot cold storage structure and the addition of a single story 4,400 square foot masonry bearing steel roof warehouse that will house space for storage and receiving of deliveries, will not result in any large and important impacts and, therefore, it is an action which will not have a significant adverse impact on the environment, and therefore the Board issues the attached negative declaration of environmental significance for the reasons stated therein.
2. The Town Clerk shall file a copy of the Negative Declaration in the file for the Project.
3. The Town Attorney's Office shall prepare and file a Notice of Determination of Non-Significance with the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal.
4. This resolution is effective immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

| | |
|--------------------------|-------|
| COUNCIL MEMBER ABRAHAM | VOTED |
| COUNCIL MEMBER AQUINO | VOTED |
| COUNCIL MEMBER RUFFINO | VOTED |
| COUNCIL MEMBER STEMPNIAK | VOTED |
| SUPERVISOR FUDOLI | VOTED |

NEGATIVE DECLARATION
Determination of Non-Significance

Town of Lancaster Town Board

Dated: June 2, 2014

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Town of Lancaster Town Board (the “Town Board”), has reviewed the proposed construction of a two story residential apartment (5 units) and commercial storefront on a vacant one acre parcel which includes paved surface parking, utilities and landscape improvements. The Town Board has determined the Project will not have a significant adverse environmental impact and that a Draft Environmental Impact Statement will not be prepared.

Name of Action: 4,400 S.F. Single Story Building Addition, Apple Rubber

Location of Action: 204 Cemetery Road, Lancaster, New York 14086, Erie County.

SEQR Status: Unlisted Action.

Description of Action: The demolition and removal of the existing 1,700 square foot cold storage structure and the addition of a single story 4,400 square foot masonry bearing steel roof warehouse that will house space for storage and receiving of deliveries.

Reasons Supporting this Determination: Potential environmental impacts associated with the Project were identified in the Environmental Assessment Form. The Town analyzed the project under the criteria for determining significance identified in 6 NYCRR § 617.7(c)(1) and in accordance with 6 NYCRR § 617.7(c)(2) and (3). As indicated below based on each criterion specified in 6 NYCRR § 617.7(c)(1), the Project will not have a significant adverse impact on the environment.

1. The proposed action will not create a material conflict with an adopted land use plan or zoning regulations.
2. The proposed action will not result in a change in the use or intensity of use of land.
3. The proposed action will not impair the character or quality of the existing community.
4. The Town of Lancaster has not established a Critical Environmental Area (CEA).
5. The proposed action will not result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway.

6. The proposed action will not cause an increase in the use of energy or fail to incorporate reasonably available energy conservation or renewable energy opportunities.
7. The proposed action will not impact existing public/private water supplies or public/private wastewater treatment utilities.
8. The proposed action will not impair the character or quality of important historic, archaeological, architectural or aesthetic resources.
9. The proposed action will not result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora or fauna).
10. The proposed action will not result in an increase in the potential for erosion, flooding or drainage problems.
11. The proposed action will not create a hazard to environmental resources or human health.

For Further Information:

| | |
|-------------------|---|
| Contact Person: | John M. Dudziak, Town Attorney Town of Lancaster |
| Address: | 21 Central Avenue Lancaster, New York 14086 |
| Telephone Number: | (716) 684-3342 |

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPNIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER, TO WIT:

WHEREAS, the **Niagara Lutheran Health Systems**, has submitted a site plan prepared by Gordon W. Jones Associates, Architects, dated March 17, 2014, with a revision date of April 28, 2014 and received May 3, 2014 for the proposed construction of a corporate office building located at 5959 Broadway, in the Town of Lancaster, and

WHEREAS, the site plan for this project was submitted to the Planning Board and was approved at their May 7, 2014 meeting, and

WHEREAS, the Town, acting as lead agency has completed an environmental review on May 19, 2014, in conformance with SEQR (State Environmental Quality Review) regulations and on June 2, 2014 a Negative Declaration was issued.

**NOW, THEREFORE, BE IT
RESOLVED**, that the Town Board of the Town of Lancaster hereby approves the site plan submitted by **Niagara Lutheran Health Systems**, and prepared by Gordon W. Jones Associates, Architects, dated March 17, 2014, with a revision date of April 28, 2014 and received May 3, 2014 for the proposed construction of a corporate office building located at 5959 Broadway, in the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

| | |
|--------------------------|-------|
| COUNCIL MEMBER ABRAHAM | VOTED |
| COUNCIL MEMBER AQUINO | VOTED |
| COUNCIL MEMBER RUFFINO | VOTED |
| COUNCIL MEMBER STEMPNIAK | VOTED |
| SUPERVISOR FUDOLI | VOTED |

June 2, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPNIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER, TO WIT:

WHEREAS, the **Apple Rubber Products, Inc.**, has submitted a site plan prepared by Didonato Engineering & Design Professionals, dated March 31, 2014 and received April 3, 2014 for the proposed construction of a 4,400 s.f. masonry bearing steel roof warehouse located at 204 Cemetery Road, in the Town of Lancaster, and

WHEREAS, the site plan for this project was submitted to the Planning Board and was approved at their April 16, 2014 meeting, and

WHEREAS, the Town, acting as lead agency has completed an environmental review on May 19, 2014, in conformance with SEQR (State Environmental Quality Review) regulations and on June 2, 2014 a Negative Declaration was issued.

**NOW, THEREFORE, BE IT
RESOLVED**, that the Town Board of the Town of Lancaster hereby approves the site plan submitted by **Apple Rubber Products, Inc.**, and prepared by Didonato Engineering & Design Professionals, dated March 31, 2014 and received April 3, 2014 for the proposed construction of a 4,400 s.f. masonry bearing steel roof warehouse located at 204 Cemetery Road, in the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

| | |
|--------------------------|-------|
| COUNCIL MEMBER ABRAHAM | VOTED |
| COUNCIL MEMBER AQUINO | VOTED |
| COUNCIL MEMBER RUFFINO | VOTED |
| COUNCIL MEMBER STEMPNIAK | VOTED |
| SUPERVISOR FUDOLI | VOTED |

June 2, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER TO WIT:

WHEREAS, the General Crew Chief Terrence McCracken, by letter dated May 27, 2014, has requested the appointment of part-time temporary seasonal employees to work in the Parks, Recreation and Forestry Department.

NOW, THEREFORE, BE IT

RESOLVED, that the following individuals are hereby appointed to the following part-time temporary seasonal positions, for a period not to exceed five (5) months, in the Parks, Recreation and Forestry Department effective June 3, 2014, and that these being part-time positions provide no health insurance, sick days, vacations, or other fringe benefits not specifically mandated for part-time temporary employees:

| <u>NAME</u> | <u>POSITION</u> | <u>PAY RATE/HR.</u> |
|---|--|---------------------|
| Stefanie Piotrowski (new hire) Lancaster, NY | Recreation Attendant (Playground Attendant) | \$8.00 |
| Erin Kotas (new hire) Lancaster, NY | Recreation Attendant (Playground Attendant) | \$8.00 |

BE IT FURTHER,

RESOLVED, that the Supervisor of the Town of Lancaster take the necessary action with the Personnel Officer of the County of Erie to accomplish the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

| | |
|--------------------------|-------|
| COUNCIL MEMBER ABRAHAM | VOTED |
| COUNCIL MEMBER AQUINO | VOTED |
| COUNCIL MEMBER RUFFINO | VOTED |
| COUNCIL MEMBER STEMPNIAK | VOTED |
| SUPERVISOR FUDOLI | VOTED |

June 2, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER , TO WIT:

WHEREAS, the Executive Director of the Youth Bureau of the Town of Lancaster, by letter dated May 27, 2014, has recommended the appointment of part-time temporary seasonal employees to work at the Youth Bureau.

NOW, THEREFORE, BE IT

RESOLVED, that the following individuals be and is hereby appointed to the following part-time temporary seasonal positions, for a period not to exceed five (5) months, at the Youth Bureau effective June 2, 2014, and that these being part-time positions provide no health insurance, sick days, vacation, or other fringe benefits not specifically mandated for part-time temporary employees:

| <u>NAME</u> | <u>POSITION</u> | <u>PAY RATE/HR.</u> |
|---|---------------------------------------|---------------------|
| Deanna Baker (rehire) Lancaster, NY | Tutor | \$15.25 |
| Kelly Gram (rehire) Lancaster, NY | Tutor | \$15.00 |
| Joseph Cardinale (rehire) Brocton, NY | Tutor | \$15.00 |
| Kathleen Zakrzewski (rehire) Cheektowaga, NY | Tutor | \$15.00 |
| Donna Greene (rehire) Depew, NY | Tutor | \$16.25 |
| Brittany Jahreis (rehire) Orchard Park, NY | Tutor | \$16.00 |
| Kim Pesany-Au (rehire) Lancaster, NY | Tutor | \$17.00 |
| Lynn Dalfonso (rehire) Lancaster, NY | Tutor (Choreographer) | \$18.00 |
| Robert Pacillo (rehire) Lewiston, NY | Tutor (Music Director/Accompanist) | \$18.00 |
| John Kaczorowski (rehire) Amherst, NY | Tutor (Drama Director) | \$18.00 |
| Ryan Kaminski (rehire) Lancaster, NY | Tutor (Music Director) | \$16.00 |
| Andrew Adolf (new hire) Lancaster, NY | Tutor (Drama Director) | \$12.00 |
| Maureen Edwards (new hire) Corfu, NY | Tutor (Choreographer) | \$10.00 |

| | | |
|---|--------------------------------|---------|
| Stephen Bochenski (new hire) West Seneca, NY | Tutor (Technical Assistant) | \$10.00 |
| Kevin Koperski (rehire) Lancaster, NY | Tutor (Technical Director) | \$12.75 |

RESOLVED, that the Supervisor of the Town of Lancaster take the necessary action with the Personnel Officer of the County of Erie to accomplish the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

| | |
|--------------------------|-------|
| COUNCIL MEMBER ABRAHAM | VOTED |
| COUNCIL MEMBER AQUINO | VOTED |
| COUNCIL MEMBER RUFFINO | VOTED |
| COUNCIL MEMBER STEMPNIAK | VOTED |
| SUPERVISOR FUDOLI | VOTED |

June 2, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER TO WIT:

WHEREAS, the Town of Lancaster provides Year-Round Youth Development Programs to the residents within its geographical areas, and

WHEREAS, Grant funding for the operation of the Town of Lancaster’s Year-Round Youth Development Programming is available from the Erie County Department of Social Services in conjunction with the Erie County Youth Bureau for the period commencing January 1, 2015 and continuing through December 31, 2015 provided a proposal is submitted to the Erie County Youth Bureau by June 6, 2014, and

WHEREAS, the Town of Lancaster Youth Bureau is requesting to submit a proposal to the Erie County Youth Bureau for the 2015 Year-Round Youth Development Programming funding;

**NOW, THEREFORE, BE IT
RESOLVED,** that the Town Board of the Town of Lancaster hereby authorizes the submission of the aforesaid proposal for the 2015 Year-Round Youth Development Programming Grant funds to the Erie County Department of Social Services in conjunction with the Erie County Youth Bureau for the period commencing January 1, 2015 and continuing through December 31, 2015.

**BE IT FURTHER
RESOLVED,** that the Town Board of the Town of Lancaster hereby authorizes the Town Supervisor to submit, on behalf of the Town, subject to the approval of the Town Attorney, the Proposer Certification.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

| | |
|--------------------------|-------|
| COUNCIL MEMBER ABRAHAM | VOTED |
| COUNCIL MEMBER AQUINO | VOTED |
| COUNCIL MEMBER RUFFINO | VOTED |
| COUNCIL MEMBER STEMPNIAK | VOTED |
| SUPERVISOR FUDOLI | VOTED |

June 2, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER TO WIT:

WHEREAS, the General Crew Chief Terrence McCracken, by letter dated May 28, 2014, has requested the appointment of part-time temporary seasonal employees to work in the Parks, Recreation and Forestry Department.

NOW, THEREFORE, BE IT

RESOLVED, that the following individuals are hereby appointed to the following part-time temporary seasonal positions, for a period not to exceed five (5) months, in the Parks, Recreation and Forestry Department effective June 3, 2014, and that these being part-time positions provide no health insurance, sick days, vacations, or other fringe benefits not specifically mandated for part-time temporary employees:

| <u>NAME</u> | <u>POSITION</u> | <u>PAY RATE/HR.</u> |
|--|------------------------------|---------------------|
| Kristyn Wind (rehire) Lancaster, NY | Lifeguard (Pool Director) | \$15.00 |
| Erin Weigand (rehire) Lancaster, NY | Lifeguard (Supervisor) | \$11.75 |
| Brianna Bartholomew (rehire) Depew, NY | Lifeguard | \$ 9.50 |
| Spencer Blizzard (rehire) Lancaster, NY | Lifeguard | \$ 9.00 |
| Sydney Blizzard (rehire) Lancaster, NY | Lifeguard | \$10.00 |
| Laura Enzinna (rehire) Lancaster, NY | Lifeguard | \$ 9.00 |
| Emily Grucella (rehire) Lancaster, NY | Lifeguard | \$11.00 |
| Kirstin Heffler (rehire) Lancaster, NY | Lifeguard | \$ 9.00 |
| Bryan Krajewski (rehire) Lancaster, NY | Lifeguard | \$10.50 |
| Dana Santasiero (rehire) Lancaster, NY | Lifeguard | \$ 9.50 |
| Leah Santasiero (rehire) Lancaster, NY | Lifeguard | \$10.00 |
| Chelsea Saxe (rehire) Lancaster, NY | Lifeguard | \$10.00 |
| Jennifer Kennedy (rehire) Clarence Center, NY | Lifeguard (Substitute) | \$11.50 |

| | | |
|--|---------------------------|---------|
| Jordan Manley (rehire) Lancaster, NY | Lifeguard (Substitute) | \$11.00 |
| Ryan McHale (rehire) Lancaster, NY | Lifeguard (Substitute) | \$ 9.50 |
| Cortney Sobowiec (rehire) Lancaster, NY | Lifeguard (Substitute) | \$ 9.50 |
| Allison Swatsworth (rehire) Lancaster, NY | Lifeguard (Substitute) | \$11.00 |

BE IT FURTHER,

RESOLVED, that the Supervisor of the Town of Lancaster take the necessary action with the Personnel Officer of the County of Erie to accomplish the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

| | |
|--------------------------|-------|
| COUNCIL MEMBER ABRAHAM | VOTED |
| COUNCIL MEMBER AQUINO | VOTED |
| COUNCIL MEMBER RUFFINO | VOTED |
| COUNCIL MEMBER STEMPNIAK | VOTED |
| SUPERVISOR FUDOLI | VOTED |

June 2, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER , TO WIT:

WHEREAS, the General Crew Chief Terrence McCracken, by letter dated May 28, 2014, has requested the appointment of part-time temporary seasonal employees to work in the Parks, Recreation and Forestry Department.

NOW, THEREFORE, BE IT

RESOLVED, that the following individuals are hereby appointed to the following part-time temporary seasonal positions, for a period not to exceed five (5) months, in the Parks, Recreation and Forestry Department effective June 3, 2014, and that these being part-time positions provide no health insurance, sick days, vacations, or other fringe benefits not specifically mandated for part-time temporary employees:

| <u>NAME</u> | <u>POSITION</u> | <u>PAY RATE/HR.</u> |
|--|---------------------------|---------------------|
| Connor Blizzard (rehire) Lancaster, NY | Lifeguard | \$10.50 |
| Jacob Ernst (rehire) Lancaster, NY | Lifeguard | \$ 9.00 |
| Leo Grucella (rehire) Lancaster, NY | Lifeguard | \$ 9.50 |
| Christopher Karnyski (rehire) Lancaster, NY | Lifeguard | \$ 9.00 |
| Allyson Kucewicz (rehire) Lancaster, NY | Lifeguard | \$ 9.50 |
| Eric Mruk (rehire) Lancaster, NY | Lifeguard | \$ 9.50 |
| Joelle Sawyer (rehire) Lancaster, NY | Lifeguard | \$ 9.50 |
| Nicholas Schlum (rehire) Lancaster, NY | Lifeguard | \$ 9.00 |
| Hannah Turek (rehire) Depew, NY | Lifeguard | \$ 9.50 |
| Samantha Wozniak (rehire) Lancaster, NY | Lifeguard | \$ 9.50 |
| Jon Andreessen (new hire) Lancaster, NY | Lifeguard (Substitute) | \$ 9.00 |
| Thomas Byrne (rehire) Lancaster, NY | Lifeguard (Substitute) | \$ 9.50 |
| Michael Emerson (rehire) Lancaster, NY | Lifeguard (Substitute) | \$10.00 |

| | | |
|---|--|---------|
| Jonathan Gall (rehire) Lancaster, NY | Lifeguard (Substitute) | \$10.50 |
| Jane Grucella (rehire) Lancaster, NY | Lifeguard (Substitute) | \$ 9.50 |
| Danielle Martzolf (new hire) Lancaster, NY | Lifeguard (Substitute) | \$ 9.00 |
| Michaela Wozniak (rehire) Lancaster, NY | Lifeguard (Substitute) | \$ 9.00 |
| Marissa Madison (new hire) Lancaster, NY | Recreation Attendant (Playground Attendant) | \$ 8.00 |

BE IT FURTHER,

RESOLVED, that the Supervisor of the Town of Lancaster take the necessary action with the Personnel Officer of the County of Erie to accomplish the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

| | |
|--------------------------|-------|
| COUNCIL MEMBER ABRAHAM | VOTED |
| COUNCIL MEMBER AQUINO | VOTED |
| COUNCIL MEMBER RUFFINO | VOTED |
| COUNCIL MEMBER STEMPNIAK | VOTED |
| SUPERVISOR FUDOLI | VOTED |

June 2, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER , TO WIT:

WHEREAS, the Highway Superintendent of the Town of Lancaster, by letter dated May 28, 2014, has requested the appointment of one (1) part-time temporary seasonal laborer to work in the Highway Department.

NOW, THEREFORE, BE IT

RESOLVED, that the following individual is hereby appointed to the position of laborer, part-time temporary seasonal, for a period not to exceed five (5) months, in the Highway Department, and that this being a part-time position provides no health insurance, sick days, vacations, or other fringe benefits not specifically mandated for part-time temporary employees:

| <u>NAME</u> | <u>PAY RATE/HR.</u> | <u>EFFECTIVE DATE</u> |
|---|---------------------|-----------------------|
| Dominic Mendola (new hire) Lancaster, NY | \$8.00 | June 3, 2014 |

BE IT FURTHER,

RESOLVED, that the Supervisor of the Town of Lancaster take the necessary action with the Personnel Officer of the County of Erie to accomplish the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

| | |
|--------------------------|-------|
| COUNCIL MEMBER ABRAHAM | VOTED |
| COUNCIL MEMBER AQUINO | VOTED |
| COUNCIL MEMBER RUFFINO | VOTED |
| COUNCIL MEMBER STEMPNIAK | VOTED |
| SUPERVISOR FUDOLI | VOTED |

June 2, 2014